IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28104 of 2008
KUNDAN KUMAR SINGH @ HARIOM
Versus
STATE OF BIHAR
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3 23/09/2008 Heard learned counsel for the petitioner and learned counsel representing the State.

Learned counsel for the petitioner is permitted to make necessary correction in the prayer portion of the application.

Case under section 396 of the Indian Penal Code was registered against 7-8 unknown criminals on the allegation that the miscreants have committed dacoity and killed the driver of the truck. One of the looted articles was the mobile set of the informant.

Submission is that except confessional statement of Deepak Kumar and the petitioner there is nothing against the petitioner. One witness was examined after two months of the occurrence and he has stated that he has seen some persons coming down from a truck they were talking themselves and from their discussion name of the petitioner has come. There is no statement of the witness that the petitioner was even seen getting down from the truck which was the subject matter of the dacoity.

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Considering the facts and circumstances of the case, the petitioner Kundan Kumar Singh @ Hariom is directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Barh in connection with Pandarak P.S. Case No. 148 of 2007.

avin **(Shyam Kishore Sharma, J.)**